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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GAIL GALLOWAY,
Plaintiff

v.

PENNSYLVANIA BOARD OF
PROBATION AND PAROLE,
et al.,
Defendants

CIVIL NO. 1:CV-00-649

(Judge Rambo)

FILED

AUG 02 2001

PER *9/8*
HARRISBURG, PA. DEPUTY CLERK

NOTICE OF APPEAL FOR FINAL DEFENDANT

Gail Galloway, ("Plaintiff"), has an appeal filed in the Third Circuit for the above captioned Civil Action which was on a stay pending the disposition of the final defendant.

Judge Rambo has wrongfully dismissed Plaintiff's civil action without permitting Plaintiff to conduct meaningful discovery. Judge Rambo wrongfully changed the caption of the above captioned civil action to *Gail Galloway v. Robert B. Stewart* and issued a judgment marked "Decision by the Court" which states: "This action came to trial or hearing before the court." However, no trial or hearing was held where Plaintiff was able to present any evidence. See Attached "JUDGMENT IN A CIVIL CASE"


Judge Rambo contends that Plaintiff has presented "no evidence whatsoever in support of his claims of conspiracy." However, Plaintiff demanded a jury trial and Judge Rambo has refused to compel Defendant Stewart to comply with discovery after Defendant Stewart refused to answer interrogatories submitted by Plaintiff and Plaintiff filed a Motion to Compel Discovery. In response to the Motion to Compel, Defendant Stewart filed answers to Plaintiff's interrogatories with the Court which contained known

false and fraudulent answers to the interrogatories or completely evaded the question asked, thereby refusing to comply with discovery. When Plaintiff was denied discovery, he cannot present evidence to support his claim and is prejudiced by the Court's refusal to compel discovery to acquire the evidence.

Judge Rambo agrees in the Order: "In the instant action, the court finds that neither absolute nor qualified immunity applies to the alleged acts taken by Stewart." Plaintiff has contended that Defendant Stewart was acting in a "quasi-judicial manner" and operating outside his scope of authority in denying Plaintiff due process of law as guaranteed by the United States Constitution.

Therefore, Plaintiff requests all records be forwarded for the above captioned action to the Third Circuit Court of Appeals so the Plaintiff's appeal can move forward.

Respectfully submitted,



Gail Galloway
Plaintiff, *pro se*
R.D.#1, Box 30
Petersburg, PA 16669
(814) 669-9164

July 31, 2001

AO 450 (Rev. 5/85) Judgment in a Civil Case

United States District Court

MIDDLE DISTRICT OF PENNSYLVANIA
JUDGMENT IN A CIVIL CASE

GAILGALLOWAY
Plaintiff

Case No: 1:00-CV-0649
Judge Sylvia H. Rambo

V.

ROBERT B. STEWART
Defendant

FILED
HARRISBURG, PA

JUL 16 2001

MARY E. D'ANDREA, CLERK
Per *[Signature]*
Deputy Clerk

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that summary judgment be and is hereby entered in favor of the Defendant, Robert B. Stewart, and against the Plaintiff, Gail Galloway.

Date: July 16, 2001

Mary E. D'Andrea, Clerk of Court

Certified to the Clerk

Date: 7-16-01

Mary E. D'Andrea, Clerk

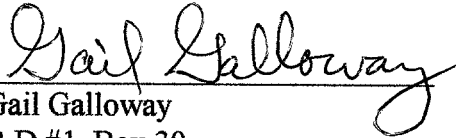
Per *[Signature]*
Deputy Clerk

[Signature]
(By) Mark J. Armbruster, Deputy Clerk

CERTIFICATE OF SERVICE

I certify that I have this day served a true and correct copy of the foregoing document upon the persons named below by First Class United States Mail at the address stated, which is the last known address of each.

Peter McManamon
200 Penn Street
Huntingdon, PA 16652
(Counsel for Defendant Stewart)


Gail Galloway
R.D.#1, Box 30
Petersburg, PA 16669
814-669-9164

Date: July 31, 2001

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

August 3, 2001

Re: 1:00-cv-00649 Galloway v. Pennsylvania Board o

True and correct copies of the attached were mailed by the clerk
to the following:

Gail J. Galloway
R.D. #1, Box 30
Petersburg, PA 16669

Francis R. Filipi, Esq.
Attorney General's Office
Strawberry Square
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Harrisburg, PA 17120

Peter M. McManamon, Esq.
Henry, Corcelius, Gates, Gill & Ody
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Huntingdon, PA 16652

Anne K. Fiorenza, Esq.
Assistant U.S. Attorney
U.S. Attorney's Office
228 Walnut Street
Suite 217
Harrisburg, PA 17108

cc:

Judge	(<input checked="" type="checkbox"/>)	() Pro Se Law Clerk
Magistrate Judge	(<input checked="" type="checkbox"/>)	() INS
U.S. Marshal	()	() Jury Clerk
Probation	()	
U.S. Attorney	()	
Atty. for Deft.	()	
Defendant	()	
Warden	()	
Bureau of Prisons	()	
Ct Reporter	()	
Ctroom Deputy	()	
Orig-Security	()	
Federal Public Defender	()	

Summons Issued () with N/C attached to complt. and served by:
U.S. Marshal () Pltf's Attorney ()
Standard Order 93-5 ()
Order to Show Cause () with Petition attached & mailed certified mail
to: US Atty Gen () PA Atty Gen ()
DA of County () Respondents ()
Bankruptcy Court ()
Other USCA ()

MARY E. D'ANDREA, Clerk

DATE: 8/3/01

BY: 
Deputy Clerk